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REMARKS/ARGUMENTS

Reconsideration and re-examination of Claims 1-5 is respectfully requested. Claims 1 and 5 have been amended to provide a more clear definition of the invention and to place the application in better condition for appeal.

The Examiner has again rejected the Claims under 35 § 102(e) as being anticipated by Kao et. al. In particular the Examiner has cited the planetary gear systems shown in FIGS. 1a, 5a, and 6a. It is suggested that the torque transmitting mechanisms 54/454/554 are applied during a "torque reversal (gear change)" through the planetary gearset. However, the Examiner has not provided an analysis of the gearsets that would suggest a "torque reversal". In fact the gearsets (relied on by the Examiner) do not undergo a torque reversal during a ratio change.

In FIG. 1, the engagement of torque-transmitting mechanism 54 has no effect on the internal torque action of the planetary gearset 40 during a neutral to reverse interchange since the gearset has no torque capacity during neutral. During a 4-5 interchange, the gearset 30 is placed in a 1 to 1 ratio. In fact, from a brief review of the gear system disclosed in FIG. 1 of Kao et. al., it is apparent that the torque-transmitting mechanism 54 is not connected between members of the gearset 40 but rather between the carrier 49 (set 40), ring rear 34 (set 30) and sun gear 22 (set 20), and therefore has no effect on the inner workings of the gearset 40.

In FIG. 5, the torque-transmitting mechanism 454 is engaged during the 5-6 interchange. During fifth ratio, the torque direction on both the sun gear 420 and the carrier 429 are in the forward (engine rotation) direction before and after the 5-6 interchange. Hence the torque-transmitting mechanism 454 has no effect on the inner workings of the gearset 420. It is noted that the ring gear 424 is released during the 5-6 interchange and the torque-transmitting mechanism 454 does not effect this gear member.

In FIG. 6, the torque-transmitting mechanism 554 is controlled during a neutral to forward interchange and therefore has no effect on the internal torque action of the planetary gearset 520 during this interchange since the gearset has no torque capacity during neutral. During a 3-2 interchange, the torque between the sun gear 522 and carrier

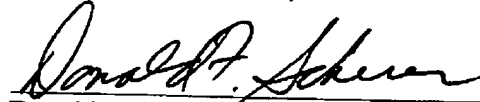
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529 is unaffected (torque is forward before and after the interchange) and the ring gear 524 is not affected by the interchange since it is free before and after this event.

Therefore, the Examiner's position that the engagement of the torque transmitting mechanisms 54/454/554 have a dampening effect on the gearsets is untenable. As previously pointed out during the prosecution of this application, the prior art must teach the same elements combined in the same manner to provide the same result as required by 35 U.S.C. § 102. see Schroeder v. Owens-Corning Fiberglas Corp., 185 USPQ 723 at page 725. The Kao et. al. reference does not teach the same elements combined in the same manner to provide the same result as the present invention.

In view of the above amendments and remarks, this application is believed to be in condition for allowance, which is herewith respectfully requested.

Respectfully submitted,



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